

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**BILLY L. MALONE,**  
**ID # 1392926,**  
**Petitioner,**

**vs.**

**RICK THALER, Director,**  
**Texas Department of Criminal Justice,**  
**Correctional Institutions Division,**  
**Respondent.**

**No. 3:09-CV-1221-D**


**ORDER**

After reviewing all relevant matters of record in this case, including the findings, conclusions, and recommendation of the United States Magistrate Judge and petitioner's objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned district judge is of the opinion that the findings and conclusions of the magistrate judge are correct, and they are adopted as the findings and conclusions of the court.

For the reasons stated in the findings, conclusions, and recommendation of the United States Magistrate Judge, the court hereby denies the petition for habeas corpus.

**SO ORDERED.**

November 30, 2009.

  
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SIDNEY A. FITZWATER  
CHIEF JUDGE